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EXAMINER

TRUONG, LECHI

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/749,135	Applicant(s) GUPTA ET AL.	
	Examiner LECHI TRUONG	Art Unit 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-24 are presented for the examination.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-8 are rejected under 35 U.S.C. 101 because they are directed to non-statutory subject matter.
3. Claims 1-8 are non-statutory because they are not tangibly embodied in a manner so as to be executable as the only hardware.
4. Claims 1-8 are rejected under 35 U.S.C. 101 because the claimed invention is directed to apparatus claims, but appearing to be comprised of software alone without claiming associated computer hardware required for execution. For example, the body of the claim recites “a network interface device”, “a driver”, “a first connection manager”. The specification does not mention the network interface is hardware. The specification does not mention the network interface is hardware. The specification mentions the network interface may be hardware. Therefore, the network interface can be software. The driver, a first connection manager, a network interface device appear to be software modules, which are not tangible. Therefore, claims 1 is non-statutory because it recites a system claim that comprises non-tangible embodiments.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Snead et al (US 2003/0041179 A1) and further in view of Vetrivelkumaran(US 6925497 B1).

6. **As to claim 1**, Snead teaches the invention substantially as claimed including: a driver (driver 206, para [0033], ln 12-14/ Fig. 2), interface device (storage device 204, para [0033], ln 12-14), access data (erasing the content on the media, para [0037], ln 13-15/access to remove a tape of tape drives, para [0042], ln 4-6/ erasing media and adding ... for the tape or device, para [0043], ln 5-8), driver adapted to control interface device and monitor access data (a request to alter the identification of media on a storage device 204. At step 230, the client application 202 initiates a particular task. This task may include, for example, an erase operation or writing a label operation. The driver 200 receives the request and performs the initiated task at step 232, para [0044], ln 3-7/ the class driver 210 within the device driver 206 begins polling the device 204 for changes to the media or device, para [0039], ln 16-19/para [0037], ln 6-15); the access data corresponding to attempts made to access interface device (altering the identification of the media within the storage device 204. These identification changes include, but are not limited to, erasing media and adding or altering a label for the tape or device, para[0043], ln 4-8), the first

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connection manager(the library manager 200, para[0039], ln 11-18/ the library manager 200, para[0035], ln 1-4/ the library manager 200 is an application that enables multiple client applications 202 to share one or more removable storage devices 204 ,para[0033], ln 3-6/ therefore the library manager is a connection manager), when the driver detects network access data from a second connection manager(para[0037], ln 1-15), a first connection manager adapted to register with the driver and receive notification data from the driver, the driver provides the notification data to the first connection manager(the library manager then registers for the notifications it wants to receive regarding the devices at step 222. As mentioned above, notifications include events such as a drive's unclean state, media erased, media arrival and removal. At step 224, the class driver 210 within the device driver 206 begins polling the device 204 for changes to the media or device. Should a state change occur, the driver 206 notifies the library manager 200 of the event at step 226 para[0039], ln 10-22), a second manager adapter(the application, para[0038], ln 6-14/ para[0039], ln 19-22/ client applications 202, para[0034], ln 1-5) , access data from a second connection manager(a client application 202 initiating a request to alter the identification of media on a storage device 204. At step 230, the client application 202 initiates a particular task. This task may include, for example, an erase operation or a writing a label operation, para [0044], ln 1-6), the driver provides the notification data to the first connection manager when the driver detects access data from a second connection manager, the notification data corresponding to the connection attempts (For example, a client application 202 initiates an erase operation to erase all the content on a particular tape. The client application 202 talks directly to the driver 206 via a WIN32 API to erase the tape when using the "WINDOWS" operating system available form "MICROSOFT." The driver 206 then notifies the

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library manager 200 of the erase operation and the library manager 200 then updates its database 208 to reflect the change in identity of the tape on that particular storage device 204, para [0044], ln 22-30).

7. Snead does not explicitly teach a network interface device, facility connecting to one or more wireless networks, a second connection manager adapted to register with driver, the driver monitors the second connection manager for network access data and provides the notification date to the first connection manager when the driver detects network access data from the second connection manager. However, Vetrivelkumaran teaches a network interface device (a network interface card 336, col 6, ln 60-63), facility connecting to one or more wireless networks(provide a practical way to limit the number of clients that can access a server in a server-client network system. The server keeps track of each network address from which it is accessed and denies access to any client that attempts to access the server after the maximum number of clients have accessed the server, col 10, ln 45-50), a second connection manager adapted to register with driver (client C 312 attempts to access the operating system 344 of the server 302, communications filter driver 354 detects a data packet that includes the network address 324 of client B 310. The network address 324 is identified at step 404, and, at step 406, the communications filter driver 354 compares the network address 324 for client B 310 (64.220.16.27) to the entries in the client table 358 in an attempt to find a match. ..Therefore, the limit has not been reached ("No" branch, step 408) and the network address 324 for client B 310 is stored in the client table 358 at step 410. The communications packets received from client B 310 are processed at step 416, col 9, ln 30-49), the driver monitors the second connection manager for network access data and provides the notification date to the first connection

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manager when the driver detects network access data from the second connection manager (Client A 308 includes a network interface card 318 (NIC) [second connection manger]that is used to connect client A 308 to the network 306, col 6, ln 47-50/ a network interface card to handle communications , col 15, ln 45-46/the communications filter driver 354 attempts to determine if client D 316 has previously accessed the operating system 344 using a different network address. If client D 316 has previously accessed the server 302 using a different network address ("Yes" branch, step 412), then the new network address used by client D 314 is substituted for the old network address used by client D 314 (step 414). But if client D 314 has not previously accessed the server 302, then at step 418, a limit exceeded event is initiated wherein the communications filter driver 354 notifies the communications filter controller 356 that the limit has been exceeded, col 10, ln 5-20/ the communications filter driver 354 monitors incoming communications packets that are sent across the local network interface card 336, col 8, ln 35-37).

8. I would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify teaching of Snead with Vetrivelkumaran to incorporate the features of a network interface device, facility connecting to one or more wireless networks, the driver monitors the second connection manager for network access data and provides the notification date to the first connection manager because this provides a practical way to limit the number of clients that can access a server in a server-client network system.

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9. Claims 2, 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snead et al (US 2003/0041179 A1) in view Vetrivelkumaran(US 6925497 B1), as applied to claim 1 above, and further in view of Nakamura et al (US 2003/0078898 A1).

10. **As to claim 2**, Snead and Vetrivelkumaran do not explicitly teach a user interface adapted to receive notification data the first connection manager, receive user input from a user, and provide the user input to the first connection manager. However, Nakamura teaches a user interface adapted to receive notification data from the first connection manager, receive user input from a user, and provide the user input to the first connection manager (the user's home 26 are connected with unit charge notification apparatus 33 in the service facilities 21, para [0092], ln 1-5/ Fig. 4/ the apparatus 33 notifies the received initial unit charge to the charging apparatus 34 and the user's home 26, para [0107], ln 3-6/para[0053], ln 3-6)/ the user can look at the displayed unit charge on the display 28 , then can access to the computer 24 in the service facilities 21 , para[0108], ln 3-7).

11. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Snead and Vetriekumaran with Nakamura to incorporate the features of a user interface adapted to receive notification data the first connection manager, receive user input from a user, and provide the user input to the first connection manager because this allows a users to use the service in user's desired manner by looking at the display unit.

12. **As to claim 3**, Nakanura teaches display the notification data received from the first connection manager to the user (the display 8 displays the notified unit charge for various kinds

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of a communication service. Therefore, the subscriber can look at the displayed unit charge on the display 8, para [0054], ln 1-5/para [0101], ln 1-3).

13. Claims 4- 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snead et al (US 2003/0041179 A1) in view of Vetrivelkumaran(US 6925497 B1), as applied to claim 1 above, and further in view of Jenney (US 6,349,335 B1).

14. **As to claim 4**, Snead teaches first connection manager(the library manager 200, para[0039], ln 11-18/ the library manager 200, para[0035], ln 1-4/ the library manager 200 is an application that enables multiple client applications 202 to share one or more removable storage devices 204 ,para[0033], ln 3-6/ therefore the library manager is a connection manager), Vetrivelkumaran teaches driver monitor network access (col 8, ln 35-37), Snead and Vetrivelkumaran do not teach the first connection computer is adapted to unregistered with the driver and the driver is further adapted to stop monitoring access data. However, Jenney teaches the first connection computer is adapted to unregistered with the driver and the driver is further adapted to stop monitoring access data (IF the user indicated that they wish to withdraw the computer 20 from the list of those computer being monitored by the server 16, clicking on field 62 with pointer 64 will remove the computer from the list of identified computers eligible for being monitored by the server, col 8, ln 39-45/ if the user request that the monitoring process be stopped, monitoring will stop for that particular computer, col 10, ln 3-7).

15. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Snead and Vetrivelkumaran with Jenney to incorporate the

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features of the first connection computer is adapted to unregistered with the driver and the driver is further adapted to stop monitoring data because this detects a computer failure or crash during operation when the user is not attending the computer so that such a failure may be addressed as soon as possible.

16. **As to claim 5**, Jenney teaches the first connection manager is adapted to unregistered with the driver and the driver is further adapted to stop monitoring network access data when instructed to do so by a user via a user interface (IF the user indicated that they wish to withdraw the computer 20 from the list of those computer being monitored by the server 16, clicking on field 62 with pointer 64 will remove the computer from the list of identified computers eligible for being monitored by the server, col 8, ln 39-45/if the user request that the monitoring process be stopped, monitoring will stop for that particular computer col 10, ln 3-7/col 8, ln 40-50/ ln 32-37).

17. **As to claim 6**, Jenney teaches the first connection manager is adapted to unregistered with the driver and the driver is further adapted to stop monitoring network access data when required by a predetermined policy rule (col 9, ln 61-67).

18. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Snead et al (US 2003/0041179 A1) in view Vetrivelkumaran(US 6925497 B1), as applied to claim 1 above, and further in view of Hyder(US 6,633,929 B1).

19. **As to claim 8**, Snead and Vetrivelkumaran do not explicitly teach network driver interface specification (NDIS) object identifier. However, Hyder teaches network driver interface

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specification (NDIS) object identifier (Network Driver Interface Specification object identifiers, col 16, and 33-35).

20. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching Snead and Vetrivelkumaran with Hyder to incorporate the feature of network driver interface specification (NDIS) object identifier because this allows a host computer to send connected devices data and commands without knowing specific details regarding the bus or network used to connect the device.

21. Claims 7, 9, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snead et al (US 2003/0041179 A1) in view of Vetrivelkumaran(US 6,925497 B1) and further in view of VetrivelkumaranII (US 6,868450 B1).

22. As to claim 7, Snead and Vetrivelkumaran do not teach the first connection manager is further adapted to disable the second connection manager. However, VetrivelkumaranII teaches the first connection manager is further adapted to disable the second connection manager (Thus, process 101 communicates with process 301 by exchanging TCP/IP packets via network 11, by using NIC 101. Similarly, the process 301 sends and receives TCP/IP packets over network 11, using NIC 301 to communicate with process 101, col 4, ln 25-30/ If the system call trap handler 116[first manager] specifies that the packet should be dropped (for example, if the process attribute 119 differs from the NIC attribute 105), the network filter driver 140 will drop the packet, col 8, ln 41-45/ the second manger is disabled when the packet is dropped, the packet can not be delivered. If the system call trap handler 116[manager] specifies that the packet should be

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dropped (for example, if the process attribute 119 differs from the NIC attribute 105), the network filter driver 140 will drop the packet, col 8, ln 41-45/ the process 301 is disabled when the packet sent from the process 303 can not be transferred to the process 101).

23. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Snead, Vetrivelkumaran and VetrivelkumaranII with to incorporate the feature of the first connection manager is further adapted to disable the second connection manager because this provides mechanism that can determine whether a process having a certain attribute may access a NIC in order to gain access to the network to which the computer and the NIC are connected.

24. **As to claim 9**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, VetrivelkumaranII teaches the manage can monitor attempts made to access the network interface device (the system call trap handler 116 via connection 161 for a decision as to whether or not the packet should be delivered to the process 101. This decision is made by comparing the process attribute 119 (NetAttr) that is associated with the receiving process (process 101) and that was retrieved from the database 115 with the NIC attribute 105 associated with the NIC 103 from which the packet was received. If the system call trap handler 116 specifies that the packet should be dropped (for example, if the process attribute 119 differs from the NIC attribute 105), the network filter driver 140 will drop the packet. Otherwise, the packet is delivered to the TCP/IP driver 110 for delivery to the receiving process (process 101), col 8, ln 35-45).

25. **As to claim 17**, it is an apparatus claim 9; therefore, it is rejected for the same reason as claim 9 above.

26. Claims 13, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snead et al (US 2003/0041179 A1) in view of Vetrivelkumaran(US 6925497 B1), in view of VetrivelkumaranII (US 6,868450 B1)and further in view of Nakamura et al (US 2003/0078898 A1).

27. As to claim 13, Snead, Vetrivelkumaran and VetrivelkumaranII do not explicitly teach display the notification data received from the first connection manager to the user. However, Nakanura teaches display the notification data received from the first connection manager to the user (the display 8 displays the notified unit charge for various kinds of a communication service. Therefore, the subscriber can look at the displayed unit charge on the display 8, para [0054], ln 1-5/para [0101], ln 1-3).

28. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Snead, Vetriellkumaran and VetrivelkumaranII with Nakamura to incorporate the features of display the notification data received from the first connection manager to the user because this allows a users to use the service in user's desired manner by looking at the display unit.

29. As to claim 21, they are apparatus claim of claim 3; therefore, it is rejected for the same reason as claim 3 above.

30. Claims 11-12, 19, 20, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snead et al (US 2003/0041179 A1) in view of Vetrivelkumaran(US 6925497 B1) in

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view of VetrivelkumaranII (US 6,868,450 B1) and further in view of Jenney (US 6,349,335 B1).

31. **As to claim 11**, Snead teaches first connection manager(the library manager 200, para[0039], ln 11-18/ the library manager 200, para[0035], ln 1-4/ the library manager 200 is an application that enables multiple client applications 202 to share one or more removable storage devices 204 ,para[0033], ln 3-6/ therefore the library manager is a connection manager), Vetrivelkumaran teaches driver monitor network access (col 8, ln 35-37). Snead, Vetrivelkumaran and VetrivelkumaranII do not teach the first connection computer is adapted to unregistered with the driver and the driver is further adapted to stop monitoring access data. However, Jenney teaches the first connection computer is adapted to unregistered with the driver and the driver is further adapted to stop monitoring access data (IF the user indicated that they wish to withdraw the computer 20 from the list of those computer being monitored by the server 16, clicking on field 62 with pointer 64 will remove the computer from the list of identified computers eligible for being monitored by the server, col 8, ln 39-45/ if the user request that the monitoring process be stopped, monitoring will stop for that particular computer, col 10, ln 3-7).

32. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Snead , Vetrivelkumaran and VetrivelkumaranII with Jenney to incorporate the features of the first connection computer is adapted to unregistered with the driver and the driver is further adapted to stop monitoring data because this detects a computer failure or crash during operation when the user is not attending the computer so that such a failure may be addressed as soon as possible.

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33. **As to claim 12**, it is an apparatus claim of claims 11, 7; therefore, it is rejected for the same reasons as claims 11, 7 above.

34. **As to claims 19-20, 23**, they are apparatus claims of claims 11-12; therefore, they are rejected for the same reasons as claims 11-12.

35. Claims 10,18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snead et al (US 2003/0041179 A1) in view Vetrivelkumaran(US 6925497 B1), in view of VetrivelkumaranII (US 6,868450 B1)and further in view of Hyder(US 6,633929 B1).

36. **As to claim 10**, Snead, Vetrivelkumaran and VetrivelkumaranII do not explicitly teach network driver interface specification (NDIS) object identifier. However, Hyder teaches network driver interface specification (NDIS) object identifier (Network Driver Interface Specification object identifiers, col 16, and 33-35).

37. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching Snead, Vetrivelkumaran and VetrivelkumaranII with Hyder to incorporate the feature of network driver interface specification (NDIS) object identifier because this allows a host computer to send connected devices data and commands without knowing specific details regarding the bus or network used to connect the device.

38. **As to claim 18**, it is an apparatus claim of claim 10; therefore, it is rejected for the same reason as claim 10 above.

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39. Claims 14, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snead et al (US 2003/0041179 A1) in view of Vetrivelkumaran(US 6925497 B1), in view of VetrivelkumaranII (US 6,868450 B1) in view of Nakamura et al (US 2003/0078898 A1) and further in view of Ullmann(US 2002/0174362 A1).

40. As to claim 14, Snead, Vetrivelkumaran, VetrivelkumaranII do not teach displaying the notification received by the first connection manager. However, Nakamura teaches teach displaying the notification received by the first connection manager(a user interface adapted to receive notification data from the first connection manager, (the user' home 26 are connected with unit charge notification apparatus 33 in the service facilities 21, para [0092], ln 1-5/ Fig. 4/ the apparatus 33 notifies the received initial unit charge to the charging apparatus 34 and the user's home 26, para [0107], ln 3-6,para[0053], ln 3-6 / the display 8 displays the notified unit charge for various kinds of a communication service. Therefor, the subscriber can look at the displayed unit charge on the display 8, para [0054], ln 1-5/para [0101], ln 1-3).

41. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Snead, Vetrivelkumaran and VetrivelkumaranII with Nakamura to incorporate the features of displaying the notification received by the first connection manager because this allows a users to use the service in user's desired manner by looking at the display unit.

42. Snead, Vetrivelkumaran, VetrivelkumaranII and Nakamura do not teach the notification that manager must be disabled manually by user. However, Ullmann teaches the notification that manager must be disabled manually by user (Status 858 shows the current packet usage status of

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each user. In the example, indicator 860 is directing the system administrator's attention to a user that has somehow exceeded or violated its monitoring parameters. The administrator could select the user name to view more information about the events associated with the user, or the administrator may select "PAUSE" button 862, "RESTART" button 864, or "STOP" button 866 to perform the indicated action on the user's applications so as to control the consumption of resources, i.e. network bandwidth, being used by the user, para [0130], ln 5-10).

43. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching Snead, Vetrivelkumaran, VetrivelkumaranII and Nakamura with Ullmann to incorporate the feature of the notification that manager must be disabled manually by user because this performs administrative actions to control the user or application as required to prevent or limit the usage of small packets.

44. **As to claim 22**, it is an apparatus claim of claim 14; therefore, it is rejected for the same reason as claim 14 above.

45. Claims 15, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snead et al (US 2003/0041179 A1) in view Vetrivelkumaran(US 6925497 B1) , in view of VetrivelkumaranII (US 6,868450 B1), in view of Nakamura et al (US 2003/0078898 A1) and further in view of Jenney (US 6,349,335 B1).

46. **As to claim 15**, Snead, Vetrivelkumaran, VetrivelkumaranII do not teaches displaying the notification received by the first connection manager, wherein the notification is displayed to a user via a user interface. However, However, Nakamura teaches displaying the notification

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received by the first connection manager, wherein the notification is displayed to a user via a user interface, receiving user input from the user interface (the user's home 26 are connected with unit charge notification apparatus 33 in the service facilities 21, para [0092], ln 1-5/ Fig. 4/ the apparatus 33 notifies the received initial unit charge to the charging apparatus 34 and the user's home 26, para [0107], ln 3-6/para[0053], ln 3-6 / the display 8 displays the notified unit charge for various kinds of a communication service. Therefore, the subscriber can look at the displayed unit charge on the display 8, para [0054], ln 1-5/para [0101], ln 1-3).

47. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Snead, Vetriekumaran and VetrivelkumaranII with Nakamura to incorporate the features of displaying the notification received by the first connection manager, wherein the notification is displayed to a user via a user interface because this allows a users to use the service in user's desired manner by looking at the display.

48. Snead , Vetrivelkumaran, VetrivelkumaranII and Nakamura do not teach determining if the user input required disabling the first connection manager; and performing a first sequence if user input requires disabling the first connection manager, the first sequence comprising: unregistering the first connection manager with the driver; and terminating monitoring network access data from the second connection manager. However, Jenney teaches receiving user input from the user interface; determining if the user input required disabling the first connection manager(If the user indicates that they wish to withdraw the computer 20 from the list of those computers being monitored by the server 16, col 8, ln 39-41), and performing a first sequence if user input requires disabling the first connection manager, the first sequence comprising: unregistering the first connection manager with the driver(remove the computer from the list of

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identified computers eligible for being monitored by the server, col 8, ln 42-43), terminating monitoring network access data from the second connection manager(monitoring will stop for that particular computer, col 10, ln 5-6).

49. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Snead, Vetrivelkumaran , VetrivelkumaranII and Nakamura with Jenney to incorporate the features of determining if the user input required disabling the first connection manager; unregistering the first connection manager with the driver; and terminating monitoring network access data from the second connection manager because this detects a computer failure or crash during operation when the user is not attending the computer so that such a failure may be addressed as soon as possible.

50. **As to claim 24**, it is an apparatus claim of claim 15; therefore, it is rejected for the same reason as claim 15 above.

51. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Snead et al (US 2003/0041179 A1), Vetrivelkumaran(US 6925497 B1), in view of VetrivelkumaranII (US 6,868450 B1) and further in view of Alexander (US 5949753 A).

52. **As to claim 16**, Snead teaches the connection manager is registered with the driver associated with the device (the library manager then registers for the notifications it wants to receive regarding the devices at step 222. As mentioned above, notifications include events such as a drive's unclean state, media erased, media arrival and removal, para [0039], ln12-17).

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53. Snead, Vetrivelkumaran and VetrivelkumaranII do not teach second connection manager, unregistering the second connection manager; wherein the unregistering of the second connection manager is prior to registering the first connection manager. However, Alexander teaches the second connection manager(LEC 306 provides an interface for the backup default gateway, col 3, ln 1-2), unregistering the second connection manager ; wherein the unregistering of the second connection manager is prior to registering the first connection manager(LECs 308 and 306 also both attempt to register MAC address M3 with LES 316. Only LEC 308 or only LEC 306 will successfully register MAC address M3 since LES 316 does not allow registration of duplicate MAC addresses, col 3, ln 25-30/ LEC 306 deregisters MAC address M3 from LES 316. After the MAC address M3 is deregistered by the backup default gateway, the primary default gateway will register MAC address M3, col 4, ln 25-30/If LEC 306 registers MAC address M3 before LEC 308, LEC 308 will also periodically try to reregister MAC address M3. In addition, LEC 308 will send LEC 306 a message instructing LEC 306 to deregister MAC address M3, thereby giving LEC 308 a chance to register MAC address M3 and to allow the primary default gateway to become active, col 3, ln 43-49).

46. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Snead, Vetrivelkumaran, VetrivelkumaranII and with Alexander to incorporate the features of unregistering the second connection manager; wherein the unregistering of the second connection manager is prior to registering the first connection manager because this provides flexible transmitting data for end stations attached to emulated local area networks.

Response to the argument

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46. Applicant's arguments filed 07/28/2008 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272-3767. The examiner can normally be reached on 8 - 5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

/Meng-Ai An/
Supervisory Patent Examiner, Art Unit 2195

LeChi Truong

October 28, 2008

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